

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SPINIELLO COMPANIES,)
)
 Plaintiff,)
)
 v.) CIVIL ACTION NO. 04-11933-NMG
)
 BRICO INDUSTRIES, INC.,)
)
 Defendant.)

**AFFIDAVIT OF JEREMY BLACKOWICZ, ESQ. IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

I, Jeremy Blackowicz, Esq., do depose and say:

1. I am counsel of record for Plaintiff Spiniello Companies and am licensed to practice before the Courts of this Commonwealth and the United States District Court for the District of Massachusetts.
2. Attached hereto as Exhibit 1 is a true and accurate copy of pertinent portions of the Deposition transcript of Robert J. Card, taken September 28, 2006.
3. Attached hereto as Exhibit 2 is a true and accurate copy of pertinent portions of the Deposition transcript of Thomas Port, taken September 28, 2006.

Signed under the penalties of perjury this 19th day of October, 2006.

/s/ Jeremy Blackowicz

Jeremy Blackowicz, Esq.